

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION**

FIDELITY AND DEPOSIT COMPANY	)	
OF MARYLAND,	)	
	)	
Plaintiff,	)	
	)	
C and H PAVING, INC., a/k/a C&H	)	
PAVING, INC., QUALITY ASPHALT,	)	CIVIL ACTION FILE
LLC, BENJAMIN CRANFORD, INC.,	)	NO. 1:23-CV-00098-JRH-BKE
BENJAMIN C. CRANFORD, JR.,	)	
EMMALEE CRANFORD, ALL STAR	)	
CONCRETE, INC., CANAAN C.	)	
CRANFORD, and BENJAMIN C.	)	
CRANFORD, III,	)	
	)	
Defendants.	)	

**ANSWER OF DEFENDANT BENJAMIN C. CRANFORD, JR.  
TO CROSSCLAIM OF EMMA LEE CRANFORD**

COMES NOW Benjamin C. Cranford, Jr. and responds to the Crossclaim of Emma Lee Cranford as follows:

**FIRST DEFENSE**

The Crossclaim fails to state a claim upon which relief can be granted.

**SECOND DEFENSE**

The allegations of fraud are not set forth with sufficient particularity as required by Fed.R.Civ.P. 9.

**THIRD DEFENSE**

In response to the allegations of the Crossclaim, Crossclaim Defendant Benjamin C. Cranford, Jr. shows the following:

1.

Paragraphs 1, 2, 3, 4, 5 and 7 of the Crossclaim are admitted.

2.

Paragraphs 6, 8, 13, 14 and 15 of the Crossclaim are denied.

3.

In response to paragraph 10, it is admitted that the GIA and the “March 2022,” agreement evidence debt of C and H Paving, Inc. and others. To the extent paragraph 10 is viewed as an allegation that the GIA and the “March 2022,” agreement are debts of C and H Paving, Inc. and no one else, the paragraph is denied.

4.

In response to paragraph 11 of the Crossclaim, Crossclaim Defendant admits that he agreed in the divorce decree to be solely responsible for and to indemnify and hold harmless his wife on all debts of C and H Paving, Inc. that existed as of the date of the agreement, to-wit, December 21, 2020.

5.

In response to paragraphs 9 and 12, the responses to the incorporated paragraphs are incorporated herein.

6.

All allegations of the Crossclaim not expressly admitted are denied.

WHEREFORE, having stated his Answer to the Crossclaim, Crossclaim Defendant prays that judgment be entered in his favor except as to matters admitted herein. Crossclaim Defendant

expressly denies liability for any consequential or punitive/exemplary damages or expenses of litigation.

This 6<sup>th</sup> day of November, 2023.

Respectfully submitted,

s/ John C. Bell, Jr.

John C. Bell, Jr. (Ga. Bar No. 048600)

The Bell Firm

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Counsel for Crossclaim Defendant

Benjamin C. Cranford, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that this day I electronically filed the within and foregoing **ANSWER OF DEFENDANT BENJAMIN C. CRANFORD, JR. TO CROSSCLAIM OF EMMA LEE CRANFORD**, with the Clerk of Court using the CM/ECG system, which will automatically send electronic mail notifications of such filing to counsel of record.

This 6<sup>th</sup> day of November, 2023.

*s/ John C. Bell, Jr.*

John C. Bell, Jr.  
Counsel for Crossclaim Defendant  
Benjamin C. Cranford, Jr.